



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 4,
TO 2009 ASSEMBLY RESOLUTION 14**

April 20, 2010 – Offered by Representative Wood.

*** AUTHORS SUBJECT TO CHANGE ***

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 3: after “21” insert “and the censure of Stephen Nass, a
3 representative from the 31st Assembly District, in accordance with article IV, section
4 8, of the Wisconsin Constitution”.

5 **2.** Page 4, line 16: delete “21.” and substitute “21; and”.

6 **3.** Page 4, line 16: after that line insert:

7 ***“Be it further resolved, That:***

8 Whereas, Representative Nass claimed his home address as W8948 Willis Ray
9 Road in Whitewater, Wisconsin, reporting mileage between 43 to 52 miles since 1990
10 to the state capitol; and

1 Whereas, members of the Wisconsin state assembly complete their own
2 certificates of mileage pursuant to sections 20.765 (1) (a) and 13.123 (1) or (2) of the
3 statutes; and

4 Whereas, it is a Class I felony under section 946.12 (4) of the statutes to make
5 false entries on this form; and

6 Whereas, section 13.08 (2) of the statutes authorizes reimbursement for up to
7 one round trip per week of transportation expenses actually incurred; and

8 Whereas, Wisconsin law regulating mileage claims for state officials requires
9 that the most direct route be claimed; and

10 Whereas, Representative Nass claimed a distance ranging from 43 to 52 miles
11 since 1990 to the state capitol; and

12 Whereas, the American Automobile Association and MapQuest calculate the
13 true distance as 43 miles; and

14 Whereas, the American Automobile Association was not able to complete a
15 direct route between the two locations that totaled 52 miles; and

16 Whereas, federal tax law requires legislators to live at least 50 miles away from
17 the capitol to claim expenses for any day the legislature is in session; and

18 Whereas, Representative Nass claimed 174 days for this purpose of federal law
19 while serving in the legislature in 1999; and

20 Whereas, this provision of federal law, found in section 162 (h) of the Internal
21 Revenue Code, allows legislators to write off \$98 per day; and

22 Whereas, the state of Wisconsin reimbursed Representative Nass \$55 per day
23 for this purpose; and

24 Whereas, Representative Nass was left with an unreimbursed expense of \$42
25 for each day the legislature was in session; and

Whereas, by claiming this expense, Representative Nass would have had a tax deduction worth \$7,308, lowering his state and federal taxes by approximately \$2,000; and

Whereas, Representative Nass has cheated taxpayers of a over \$2000; and

Whereas, a violation of this Wisconsin law requires reimbursement of the amount, including 12 percent interest, resulting in over \$20,000 stolen from the people of Wisconsin; and

Whereas, Representative Nass has himself brought disrepute to the Wisconsin state assembly by failing to accept paternal responsibility for his out-of-wedlock daughter for the first three years of her life; and

Whereas, Representative Nass brought further disgrace to the Wisconsin state assembly by going to court to get his taxpayer-financed per diem excluded from calculating his child support payments; now, therefore, be it

Resolved by the assembly, That Representative Stephen Nass is hereby censured by the Wisconsin state assembly, in accordance with article IV, section 8, of the Wisconsin Constitution.”.

(END)